

Appl. No. 10/805,970
Amdt. Dated May 2, 2005
Reply to Office Action of February 3, 2005

REMARKS

This Amendment is in response to the PTO action mailed February 3, 2005. Applicant has amended claims 1-3 and 17. In view of the amendments and remarks, Applicant believes that the application is in condition for allowance.

In the PTO action, claims 1-2, 5, 6, 15, 16 and 17 were rejected under 35 U.S.C. § 102(b) or in the alternative under 35 U.S.C. § 103(a) over Eschweiler, Jr. et al., patent no. 5,242,369 ("Eschweiler"). With respect to claim 1, Applicant believes that Eschweiler fails to teach or suggest all the limitations. Claim 1 requires a housing having a first fold plate and a second fold plate. Each fold plate is permanently attached to the housing. A processing area includes a first removable plate attached to the first fold plate and a second removable plate attached to the second fold plate. Each removable plate is disposed in the housing and is accessible through the upper opening for removal by a quick-coupling mechanism. Eschweiler fails to teach or suggest each of these limitations provided by claim 1.

Eschweiler depicts a first chute 12 and a second chute 14. The entire chute 12 (or 14) is removable. Eschweiler does not teach or suggest that a first plate of the chute 12 can be removed, while the second plate of chute 12 remains permanently in the housing. Applicant's invention requires that a first plate (removable plate) be removeable and a second plate (fold plate) be permanently attached to the housing.

Thus, Eschweiler fails to teach or suggest a first fold plate permanently attached to the housing or a second fold plate permanently attached to the housing. As well, Eschweiler fails to teach or suggest a first removable plate attached to such a first fold plate or a second removable plate attached to such a second fold plate. As Eschweiler fails to teach or suggest each of these elements, it would not have been obvious to one of ordinary skill in the art to arrive at

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Applicant's invention of claim 1. Claims 2, 5, 6, 15 and 16 depend from claim 1 and include all the limitations thereof and are allowable for the same reasons as discussed above. Therefore, the rejection of these claims under Eschweiler is improper.

With respect to independent claim 17, Eschweiler also fails to teach or suggest all of the elements required therein. Claim 17 requires a lower fold plate disposed within a housing and a paper stop adjustably mounted to a lower fold plate. An adjuster is connected to the paper stop for adjusting the position of the paper stop. An upper plate is removably mounted to the lower fold plate and has a slot for receiving the adjuster therethrough. The upper plate may be removed while the lower fold plate remains disposed within the housing. Eschweiler fails to teach or suggest each of these elements.

Eschweiler fails to teach or suggest a lower fold plate disposed within a housing and an upper plate that is separate therefrom and is removably mounted to the lower fold plate so that the upper plate may be removed while the lower fold plate remains disposed within the housing. The unitary chute 12 disclosed by Eschweiler is distinct from the claimed upper plate removably mounted to the lower fold plate that remains within the housing. Eschweiler depicts that a first plate and second plate of the chute 12 are removed from the housing together. Eschweiler also depicts that a first plate and second plate of the chute 14 are removed from the housing together. There is no teaching or suggestion in Eschweiler that the removal of the upper plate is possible while the lower fold plate remains disposed within the housing, as required by claim 17. Further, Eschweiler discloses a unitary chute 12 and does not disclose a separate upper plate having a slot for receiving an adjuster therethrough that protrudes from the permanent lower fold plate. Thus, it would not have been obvious to one of ordinary skill in the art to arrive at the invention of

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claim 17 in view of Eschweiler. Therefore, the rejection of claim 17 is improper and Applicant respectfully requests that it be withdrawn.

Claims 24 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Eschweiler. Claims 24 and 25 depend from claim 17 and include all the limitations thereof. Therefore, these claims are allowable for the same reasons as discussed above.

Claims 7-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Eschweiler in view of Bluthardt et al., patent number 5,520,603 ("Bluthardt"). Claims 7-14 depend from claim 1 and include all the limitations thereof. As discussed above, claim 1 is not anticipated or obviated by Eschweiler. Furthermore, Bluthardt fails to teach or suggest each of the elements of claim 1. Therefore, as each of these dependent claims 7-14 include all of the limitations of claim 1 and the cited prior art fails to teach or suggest such elements, the rejection under § 103 is improper.

Therefore, in view of the above amendments and remarks, the Application is in condition for allowance. Applicant respectfully requests that the case be moved to issuance.

Respectfully submitted,

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